ROUTE 12 - OLD RECEIVER ROAD
FREDERICK, MD. 21701

September 21, 1976

Mr. Rick Feeney
c/o Congressman Downing of Virginia
House of Representatives
Washington, D. C. 20510

Dear Rick:

Thanks for your call. I'll respond to your request immediately so that when my wife is free she can retype it. Perhaps there can be a further exchange later.

Before getting into what I recommend as an approach, we did not come back to subpoenaes. I strongly urge that Washington be papered with them, duces Tecum and including all installations of any nature anywhere, not just Washington, as with the FBI, CIA and Secret Service. Records have already been destroyed. There has been talk of the destruction of still more. The faster subpoenaes are served, the more further destructions may be deterred.

This new committee has a broader mandate and a short life for a full investigation. It has problems I'm sure are not recognized, with people. It will be flooded with the nuttiest nonsense. It has approached the most dubious to be its consultants. There are very few people today who can tell how reasonable, even possible, what is represented as fact really is. As one counts normal working days, I've put more than 25 years into this and I am not always certain.

This takes me back to when we first met. I pressed caution on you. When you and Tiny were here, I urged the use of solid evidence only, not conjecture, not attractive theories that generally are not attractive to the really informed, and at least to begin with <u>no</u> theorizing. I am now more convinced this is the necessary beginning.

Whatever direction the committee takes it will be investigating homicides. It should begin by investigating them as homicides, beginning with readily available testimony that should be restricted to those who did the actual original work, not those who talk a good self-promotion.

Committees, of course, can use secondary sources. In the past this has been disastrous. Now I think the harm will be greater because there is vested interest in the committee not doing the best job possible. I can wreck some of yours, so I think it would be wise to expect the agencies to do it.

The underneaths of the rocks are alive with theorists and solutions. I know of no basis for crediting most and no basis for eliminating one of those that can be reasonable in favor of another. The central initial knowledge is that there never was a real official investigation. There were disinvestigations, to paraphrase Orwell.

There is all the years of the wildest paranoia, all the propaganda on all sides, all the irrationalities to which Members and the major media have been subjected and to which they, including Congressman Downing and Gonzalez succumbed. It is essential, I think, for the committee to begin with what can earn it the respect

and trust of Members and the media. It can do this with solid evidence only. It should, to begin with, restrict itself to that which is most essential in a homicide. If it takes this evidence at the outset in addition to justifying trust and respect it can simultaneously address what will be one of its most serious problems, the acceptability where it counts of the Warren Report, the official solution.

Lyndon Johnson and special problems I believe are not generally appreciated. He rose to the occasion with an atypical body, five out of seven members of the minority party, with all seven widely respected by major elements of our society. I believe he selected with this in mind - how to win support for whatever his Commission would find. Among liberals, for example, Warren was a god who could do no wrong.

I believe this can be overcome by the approach I suggest, with the basic homicide evidence, essentially medical and ballistics. I have done all the basic work in this and have all the original records. I'll be glad to provide them. I have not, as Wecht has, seen what does not exist. I have a story quoting him as sayimg what he saw in the autopsy materials proves the Cubans did it.

I do think the committee should do its own thing with the restricted autopsy material, but not now. When that time comes, as I've told you, maybe I can be of help.

Rather than the widely known gibberish about what the actual evidence really is and says, there is a solid, irrefutable reality. I have it, I have it solidly and I have it in a way that will enable this committee, when it really wants to go past an opening, to break the case wide apart. With an honest reception, what I have, were it not for the frightful stuff that has been dumped on Members and the media, is enough to do this. Whether or not it gets that reception, there are immediate and easy next steps that hold the greatest potential.

Before I go into any of that, as I wrote Bud when he asked for my views, I want to be satisfied. I've been through it, from Garrison to Schweiker. All has been dis= astrous. With these sharp disappointments I've learned patience and I'm not looking for more them. What I have put into this nobody else has. I do not want it to be a futility. Nor do I want anything of value wasted.

If I am not satisfied that this committee will be the epitome of respnsibility, I have plenty else to do. I'll do my thing. If I am satisfied it is going to be responsible, as much as the complexity of the confusion that has been created permits, I'll do all I can for it. I am confident I can do more than anyone else. I am confident that there can be byproducts of a solid, responsible approach that are of great national importance aside from the importances of the central purpose of an investigation of this kind. One of these byproducts I believe will be very important to the Congress.

If the Warren Commission had ever intended a real investigation - and from the records I have there is no basis for believing it did - it was unable and unwilling to confront its major problems and it created those of its own. One of these was deciding everything in advance of fact and knowledge. This is why the first chapter of POST MORTEM addresses that. While it is necessary to have an idea of what is to be done, it is also necessary to preserve basic flexibility. Otherwise, there is a great risk that the committee can become like a snake beginning to swallow. It has no choice.

I am not saying that there cannot and should not be a formula. I think there should be.

I also think that a determination to solve the crimes will wreck the investigation and create more national trauma and discontent. If they can be solved, fine. But

it should not be expected and should not be the focus. If this should be possible, that can only be after a solid, responsible developing of essential fact, much of which remains suppressed still. The chances are better in the King case and I believe I have what is needed for it.

After the basic facts are established, then as I told you long ago, I believe it is necessary to go into the federal agencies. Not like Schweiker did. Not like those who counseled him urged and thus led to nothing except error and more disinformation. You want evidence on the crime itself, not pie in the sky. Dessert comes later. I can direct you to some suppressed sources. In this you can make a major breakthough. I have a good sample.

There has been so much covering of tracks a thorough combing of all existing files becomes indispensable. If you have good investigators who are not pushing theories but are investigating and if you can find some way of keeping them from reading most of the literature, which is worse than worthless, they'll find much. My fear is that being subjected to the popular fictions their minds will be formed in advance and closed to real evidence, solid fact, substantial leads. It requires a special dictionary to read the spooks' reports as it is.

There is so much that becomes germane! This committee, if it wants to, can become historical, with considerable kudos accruing to Members who do a good job.

The step-by-step approach I recommend, which has other importances I'll explain later if you'd like, is the only one that can make a solution possible.

As I told you, I believe it is urgent that no staff members have any connection with what can be called partisanship. Remember, I began with myself on this. Consultants are something else, but with them the real questions begin with who did the original work and what is the track record of each. You will find that public relations and things of that sort mean nothing when it comes to either fact or investigations.

I do not mean to appear to be inflexible in what can be done immediately. Much more can be and I'd be glad to discuss it. I mention what I regard as the essential beginning only.

I hope it works out well.

Sincerely,

Harold Weisberg

p.s. Mr. Downing held a press conference in which he dealt with materials provided to him by Robert Morrow. I have never met Mr. Morrow. I would appreciate copies of all Mr. Downing then said and released.

HW